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STATE OF ILLINOIS

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COMMERCE COMMISSION

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2003 SEP 25 A 10:47

CHIEF CLERK'S OFFICE

MENARD ELECTRIC COOPERATIVE,)

)

Complainant,)

)

vs)

No. 01-0443

)

CENTRAL ILLINOIS PUBLIC SERVICE)

COMPANY, d/b/a AMERENCIPS)

)

Respondent.)

**ANSWER TO AFFIRMATIVE DEFENSE OF CENTRAL
ILLINOIS PUBLIC SERVICE COMPANY d/b/a AMERENCIPS**

MENARD ELECTRIC COOPERATIVE, Complainant, (Menard), by GROSBOLL, BECKER, TICE & REIF, in answer to the Affirmative Defense set forth by CENTRAL ILLINOIS PUBLIC SERVICE COMPANY, d/b/a AMERENCIPS, Respondent, (CIPS) in its answer to the Complaint/Amended Complaint of Menard, states as follows:

**ANSWER TO AFFIRMATIVE DEFENSE TO COUNT I OF
MENARD'S COMPLAINT/AMENDED COMPLAINT**

1. Menard denies the allegations of Paragraph 1 of the CIPS Affirmative Defense to Count I of Menard's Complaint/Amended Complaint.

2. Menard admits that it did not contest before the Illinois Commerce Commission the alleged electric service of CIPS to the alleged Mileur residence, but denies each and every one of the remaining allegations of paragraph 2 of the CIPS Affirmative Defense to County I of Menard's Complaint/Amended Complaint. Menard further states that CIPS did not provide notice nor did Menard have any knowledge or notice of any alleged electric service by CIPS to any residence under the name of the Mileur residence. Menard further asserts that by virtue of

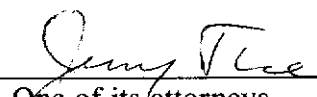
the Complaint/Amended Complaint in this docket, Menard does not seek the right to provide electric service to any residence known as the Mileur residence.

3. Menard denies the allegations of paragraph 3 of the CIPS Affirmative Defense to Count I of the Complaint/Amended Complaint.

WHEREFORE, Menard Electric Cooperative requests the Commission to deny the Affirmative Defense of Central Illinois Public Service Company dba AmerenCIPS.

MENARD ELECTRIC COOPERATIVE,
Complainant,

By: GROSBOLL, BECKER, TICE & REIF

By: 
One of its attorneys

STATE OF ILLINOIS)
 : SS
COUNTY OF MENARD)

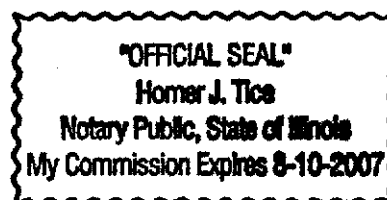
LYNN FRASCO, being first duly sworn upon his oath, deposes and states that he is the Manager of Menard Electric Cooperative in the above entitled cause of action, that he has read the above and foregoing Answer to Affirmative Defense of Central Illinois Public Service Company d/b/a AmerenCIPS to Menard's Count I of the Complaint/Amended Complaint, all as subscribed by him, in the above matter and that the same is true in substance and in fact except as to those matters which are stated to be on information and belief and as to those matters he believes them to be true.


Lynn Frasco

Subscribed and Sworn to before me

this 24 day of September, 2003.


Notary Public



GROSBOLL, BECKER, TICE & REIF

Attorney Jerry Tice

101 E. Douglas

Petersburg, IL 62675

Telephone: 217-632-2282

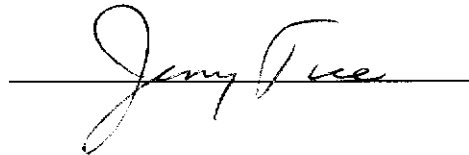
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PROOF OF SERVICE

I, JERRY TICE, hereby certify that on the 24 day of Sept, 2002, I deposited in the United States mail at the post office at Petersburg, Illinois, postage fully paid, a copy of the document attached hereto and incorporated herein, addressed to the following persons at the addresses set opposite their names:

Scott Helmholz
Brown, Hay & Stephens
205 S Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705

William Showtis
Hearing Examiner
Illinois Commerce Commission
527 E. Capitol
Springfield, IL 62701-1827

A handwritten signature of Jerry Tice in cursive script, written over a horizontal line.

GROSBOLL, BECKER, TICE & REIF
Attorney Jerry Tice
101 E. Douglas
Petersburg, IL 62675
Telephone: 217-632-2282

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